

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
FLORENCE DIVISION

United States of America,	)	Civil Action No.: 4:18-cv-00306-RBH
	)	
Plaintiff,	)	
	)	
v.	)	<b>ORDER</b>
	)	
\$72,000.00 in U.S. Currency,	)	
<i>Asset ID: 18-DEA-636029,</i>	)	
	)	
Defendant,	)	
	)	
Tamela Spruill,	)	
	)	
Claimant.	)	
_____	)	

This civil forfeiture matter is before the Court for review of the Report and Recommendation (“R & R”) of the Magistrate Judge, who recommends granting Plaintiff’s Second Motion to Strike Answer, placing Claimant in default, and ending this matter in Plaintiff’s favor.<sup>1</sup> ECF No. 40.

The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with this Court. *See Mathews v. Weber*, 423 U.S. 261, 270–71 (1976). The Court is charged with making a de novo determination of those portions of the R & R to which specific objection is made, and the Court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge or recommit the matter with instructions. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b).

Neither party has filed objections to the R & R, and the time for doing so has expired.<sup>2</sup> In the

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<sup>1</sup> The Magistrate Judge issued the R & R in accordance with 28 U.S.C. § 636(b) and Local Civil Rule 73.02(B)(2) (D.S.C.).

<sup>2</sup> Plaintiff’s objections were due by July 22, 2019, and Claimant’s objections were due by July 25, 2019. *See* ECF Nos. 40 & 41.

absence of objections to the R & R, the Court is not required to give any explanation for adopting the Magistrate Judge's recommendations. *See Camby v. Davis*, 718 F.2d 198, 199–200 (4th Cir. 1983). The Court reviews only for clear error in the absence of an objection. *See Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (stating that “in the absence of a timely filed objection, a district court need not conduct de novo review, but instead must ‘only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation’” (quoting Fed. R. Civ. P. 72 advisory committee's note)).

After a thorough review of the record in this case, the Court finds no clear error and therefore adopts the Magistrate Judge's R & R [ECF No. 40]. Accordingly, the Court **GRANTS** Plaintiff's Second Motion to Strike Answer [ECF No. 21] and **DIRECTS** the Clerk to enter Claimant's default and to enter a judgment of forfeiture in Plaintiff's favor.

**IT IS SO ORDERED.**

Florence, South Carolina  
July 30, 2019

s/ R. Bryan Harwell  
R. Bryan Harwell  
Chief United States District Judge